

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of TAMARA PATRICE
WILLIAMS, Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

V

BLANCHIE ANN PEAVY,

Respondent-Appellant.

UNPUBLISHED

February 1, 2005

No. 254630

Muskegon Circuit Court

Family Division

LC No. 85-016766

Before: Meter, P.J., and Wilder and Schuette, JJ.

MEMORANDUM.

Respondent appeals as of right from the trial court order terminating her parental rights to the minor child pursuant to MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

Respondent does not challenge the trial court's finding that petitioner had established at least one of the statutory bases for termination but argues that the trial court erred in its best interests determination. Termination of parental rights is mandatory if the trial court finds that the petitioner established a statutory ground for termination, unless the court finds that termination is clearly not in the child's best interests. *In re Trejo*, 462 Mich 341, 344; 612 NW2d 407 (2000). We review the trial court's best interests determination for clear error. *Id.* at 357.

The trial court did not clearly err in terminating respondent's parental rights. Petitioner worked with respondent, on and off, since the minor child's birth in 1997, to deal with her crack cocaine addiction. The minor child has been removed from respondent's custody and returned on two prior occasions. While this matter was pending, respondent continued to abuse crack cocaine, even though she was attending outpatient treatment, and she was not able to complete any program. Respondent's crack cocaine addiction also had an adverse effect on her daughter. The minor child told her caseworker that she had seen her mother use cocaine while the minor child watched cartoons. Respondent testified that she missed parenting time because of her use of crack cocaine. The caseworker testified that when respondent missed parenting time, the minor child was devastated, cried, did not understand, and was very disappointed. The minor child cannot continue to be let down and disappointed by respondent. The trial court did not clearly err in its best interests determination.

Affirmed.

/s/ Patrick M. Meter

/s/ Kurtis T. Wilder

/s/ Bill Schuette